



MS RCE
PATENT
0147-0229P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: ECKERT, Helmut et al. Conf.: 2392
Appl. No.: 09/889,300 Group: 1642
Filed: September 13, 2001 Examiner: YAEN, C.H.
For: USE OF ANTIBODIES FOR THE VACCINATION
AGAINST CANCER

LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

December 20, 2004

Sir:

On September 20, 2004 a Notice of Allowance was issued for the above-identified application. A review of the file prior to payment of the Issue Fee indicated that not all of the references cited during the prosecution of the European equivalent of this application had been considered by the Examiner. While the European application has been allowed, Applicants wish to submit these references in the present case for consideration by the Examiner. As a consequence, Applicants have filed a Request for Continued Examination (RCE), including

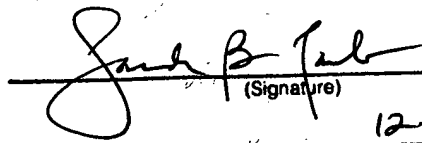
an Information Disclosure Statement citing these previously
unconsidered references. Applicants specifically wish to advise
the Examiner that the monoclonal antibody HE2 is identical to
the monoclonal antibody 17-1A described in the Ragnhammer
publications submitted.

Applicants respectfully submit that the claims remain novel
and unobvious. Applicants also request that should there be any
minor matters outstanding which need to be resolved in order to
place the application in condition for allowance, that the
Examiner contact the undersigned at (714) 708-8555.

If necessary, the Commissioner is hereby authorized in this,
concurrent, and future replies, to charge payment or credit any
overpayment to Deposit Account No. 02-2448 for any additional fees
required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of
time fees.

I hereby certify that this correspondence is being de-
posited with the United States Postal Service as first
class mail, postage prepaid, in an envelope to:
Commissioner for Patents, P.O. Box 1450, Alexandria,
VA 22313-1450, on: December 20, 2004
(Date of Deposit)

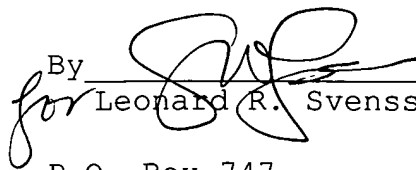
BIRCH, STEWART, KOLASCH & BIRCH, LLP


(Signature)
12-20-2004
LRS/SPB/ESP
0147-0229P

Attachment(s):

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

#47,604
By 
for Leonard R. Svensson, #30,330
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000